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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MUTUAL PHARMACEUTICAL COMPANY,
INC., et al.,

Plaintiffs,

v.

WATSON PHARMACEUTICALS, INC., et
al.,

Defendants.

WEST-WARD PHARMACEUTICAL CORP.,

Counterclaimant,

v.

MUTUAL PHARMACEUTICAL COMPANY,
INC., et al.,

Counterdefendants.

Civil Action No. 09-5421(GEB)(TJB)

**DECLARATION OF NATHANIEL
R. COOPER IN SUPPORT OF
PLAINTIFFS' MOTION TO
DISMISS WEST-WARD'S
COUNTERCLAIM**

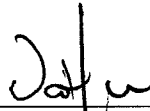
I, Nathaniel R. Cooper, declare as follows:

1. I am an attorney licensed to practice law in the State of California, and am admitted before this Court *pro hac vice*. I am an associate in the law firm of Cooley Godward Kronish LLP, attorneys of record in this matter for plaintiffs Mutual Pharmaceutical Company, Inc., AR Scientific, Inc., and AR Holding, Inc. I have personal knowledge of the facts set forth in this Declaration, and if called upon to testify I could and would testify competently thereto.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Food and Drug Administration's ("FDA") warning letter to Sunrise Pharmaceutical, Inc., publicly available on the FDA's website at <http://www.fda.gov/ICECI/EnforcementActions/WarningLetters/ucm197966.htm> and last viewed on March 15, 2010.

3. Attached hereto as Exhibit 2 is a true and correct copy of the FDA's warning letter to Concord Laboratories, Inc., publicly available on the FDA's website at <http://www.fda.gov/ICECI/EnforcementActions/WarningLetters/2006/ucm075988.htm> and last viewed on March 15, 2010.

I declare under the laws of the United States of America that the foregoing is true and correct. Executed at San Diego, California on March 15, 2010.



Nathaniel R. Cooper